



S/N 09/904,234

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n 210  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |  |                 |                     |
|-------------|--|-----------------|---------------------|
| Applicant:  | GRISERI ET AL.                           | Examiner:       | FOOTLAND, LENARD A. |
| Serial No.: | 09/904,234                               | Group Art Unit: | 3682                |
| Filed:      | JULY 12, 2001                            | Docket No.:     | 9728.231US01        |
| Title:      | BEARING-HUB UNIT FOR MOTOR VEHICLE WHEEL |                 |                     |

CERTIFICATE UNDER 37 CFR 1.10

Express Mail' mailing label number: EV 347834646 US

Date of Deposit: May 15, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents, Alexandria, VA 22313-1450.

Job: [Signature]

**PETITION UNDER 37 CFR 1.181(a) REQUESTING  
WITHDRAWAL OF HOLDING OF ABANDONMENT**

**Mail Stop Petition**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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MAY 20 2003  
GROUP 3600

Dear Sir:

In response to the Office Action mailed on April 28, 2003, Applicants respectfully petition under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment of the above-identified application for the reasons provided below.

A first Office Action was mailed on September 13, 2002, stating that the application included claims directed to multiple patentably distinct species and including a requirement under 35 U.S.C. § 121 to elect a species for prosecution.

On December 23, 2002, Applicants filed a Response to the Office Action. In the Response, Applicants elected the second species comprising Figure 4, and identified at least claims 1, 3, 4, and 5 as reading on the elected species.

A second Office Action was mailed on April 28, 2003. In the Action, the Examiner stated that the Response filed on December 23, 2002, was not fully responsive. The Examiner stated that a fully responsive reply must be filed within the statutory period, for reply provided for the first Office Action mailed September 13, 2002.

In discussions with the Examiner on or about May 6, 2003, Applicants' representatives suggested that the Response was fully responsive to the first Office Action. The Examiner indicated that he disagreed. The Examiner indicated that he could not provide any relief, and that the response period for the first Office Action applied, even though the period for response expired prior to the mailing of the second Office Action.

The election provided in the Response of December 23, 2002, was fully responsive to the first Office Action, in that the Response clearly identified elected claims 1, 3, 4, and 5. Therefore Applicants request withdrawal of abandonment of the application.

In accordance with MPEP 711.03(c)(I), it is believed that no fee is due for this petition. However, if it is determined that a fee is required, please charge Deposit Account No. 13-2725 in an amount sufficient to cover the required fee.

In view of the above remarks, reconsideration and withdrawal of the holding of abandonment are respectfully requested. Please contact the undersigned attorney with any questions regarding this Petition.

Respectfully submitted,  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: May 15, 2003



By: [Signature]  
Name: John J. Gresens  
Reg. No.: 33,112  
JJG/RAK:pll



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Griseri et al. Examiner: Lenard A. Footland  
Serial No.: 09/904,234 Group Art Unit: 3682  
Filed: July 12, 2001 Docket: 9728.231US01  
Confirmation No.: 2120 Due Date:  
Title: BEARING-HUB UNIT FOR MOTOR VEHICLE WHEEL

**CERTIFICATE UNDER 37 CFR 1.10:**

"Express Mail" mailing label number: EV 347834646 US  
Date of Deposit: May 15, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:   
Name: John Junkers

**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

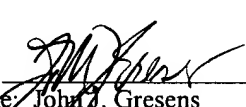
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing.
- ☒ Petition.
- ☒ Return postcard.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By:   
Name: John J. Gresens  
Reg. No.: 33,112  
JJG/RAK:pl



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